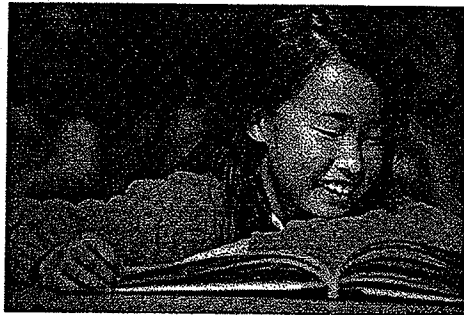


A: School districts must provide or arrange transportation for students who want to stay at their schools of origin, even if students move to a different city, county, or school district. The liaison must help set up transportation, which could include school buses, passes for public transportation (buses or subways), taxis, or vans.



Q & A: ENROLLING IN NEW SCHOOLS

Q: IF STUDENTS WANT TO GO TO THEIR LOCAL SCHOOL, CAN THEY?

A: YES. Sometimes students cannot attend a school of origin because they moved too far away or for other reasons. Some children and youth do not want to stay in the same school. These young people have the right to attend schools that serve the area where they are currently living.

Q: ARE THERE ANY SPECIAL RULES FOR ENROLLING HOMELESS STUDENTS?

A: Yes. Schools must immediately enroll homeless students, allowing them to attend classes and participate fully in school activities. These students are able to enroll even if they do not have records or other items that are required for non-homeless students, such as:

- Immunizations or immunization records;
- Physical examinations or medical records;
- School records;
- Proof of residency;
- A parent or legal guardian;
- Birth certificates; and/or
- Other documents.

Q: HOW DOES THE SCHOOL GET NECESSARY RECORDS?

A: While students are enrolled and attending classes, schools will try to get necessary records. The new school must call the student's last school to get records. The last school must send those records. Liaisons are required to help students get immunizations, immunization records, or other medical records.

Q: WHAT HAPPENS IF SCHOOLS NEVER GET THESE DOCUMENTS?

A: Sometimes schools will not be able to get some of these

documents. For example, unaccompanied youth may never be able to bring a parent or guardian to school. Families may never be able to prove residency through documents such as lease agreements. However, if youth or families cannot produce such items, that should not become a barrier to their school attendance.

Q: WHAT IF A STATE OR SCHOOL DISTRICT HAS RULES THAT SAY STUDENTS CANNOT GO TO SCHOOL WITHOUT CERTAIN RECORDS?

A: Schools must still follow the McKinney-Vento Act even if they have laws or policies that conflict with it. If schools, school districts, or states have rules that keep students who are homeless out of school, McKinney-Vento says those rules must be changed.

Q: CAN STUDENTS IN HOMELESS SITUATIONS BE SENT TO SEPARATE SCHOOLS?

A: Most separate schools are against the law. However, separate schools for homeless students are legal in a small number of communities. Students in those areas cannot be forced to attend a separate school. They can choose to attend a regular school with non-homeless students. Public schools cannot put students experiencing homelessness in separate classes or programs just because they are homeless.



Q & A: SPECIAL SERVICES

Q: DO SCHOOLS HAVE TO GIVE STUDENTS IN HOMELESS SITUATIONS ALL THE SERVICES THEY NEED?

A: YES. Schools must make sure children and youth in homeless situations get all the educational and supplemental services they need.

Q: WHAT TYPES OF SERVICES ARE AVAILABLE?

A: Students living in homeless situations must have equal access to various services, including tutoring, before and after school programs, vocational education, and gifted and talented programs. They must also have access to the following

School meal programs

Students in homeless situations automatically qualify for free breakfast and lunch at schools that offer meals.

Families do not have to fill out an application or provide proof of income. Liaisons and shelter providers can give school nutrition officials a list of homeless students who need meals.

Pre-school

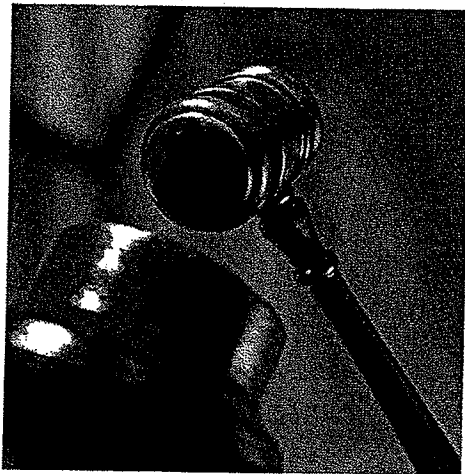
Liaisons must ensure that homeless children have access to pre-school programs such as Head Start, Even Start and others. However, all eligible homeless children may not be able to find a place in a pre-school program. Liaisons often try to work with pre-school providers on solutions to this problem. Such solutions may include reserving spaces for homeless students.

Special education

Schools must make sure students with disabilities, including preschool children, get the special education and services they need. NLCHP has a booklet describing special education rights. The booklet is available online or you can call or e-mail (info@nlchp.org) to get a free copy.

Title I services

Title I is a federal law that gives schools money to support disadvantaged students. Children and youth in homeless situations should get Title I services no matter where they go to school, and school districts must set aside money to make sure homeless students get services.



Q & A: DISPUTES AND DISAGREEMENTS

**Q: WHAT HAPPENS IF FAMILIES OR STUDENTS
DISAGREE WITH DECISIONS MADE BY
SCHOOLS?**

A: Whenever there is a disagreement or dispute between a school and a parent, guardian, or youth, the school must:

- Provide a written document explaining its decision and the student's or family's right to file an appeal;
- Allow the student to enroll in their desired school and receive necessary services until the dispute is resolved;
- Refer the student or family to the liaison who must help to resolve the dispute quickly.

Q: WHAT IF THE SCHOOL DISTRICT DOES NOT SETTLE THE DISPUTE?

A: States and school districts must follow McKinney-Vento. If students or families continue to experience problems, they can:

Call their State Coordinator. Every state has a State Coordinator who has to ensure that all school districts in the state follow the McKinney-Vento Act. There is a list of State Coordinators at the end of this booklet.

Call a lawyer for help. A lawyer may be able to help you understand your rights and help schools understand their responsibilities. The following websites may be helpful in finding legal aid groups in your area:

- www.ptla.org/links.htm#services
- www.lawhelp.org
- www.lsc.gov/fundprog.htm.

You can also call your state bar association or the National Law Center on Homelessness & Poverty for a referral.

Contact the U.S. Department of Education. The Department can investigate states and school districts that do not follow the law. To reach the Department's Education of Homeless Children and Youth Program, call (202) 401-0113.

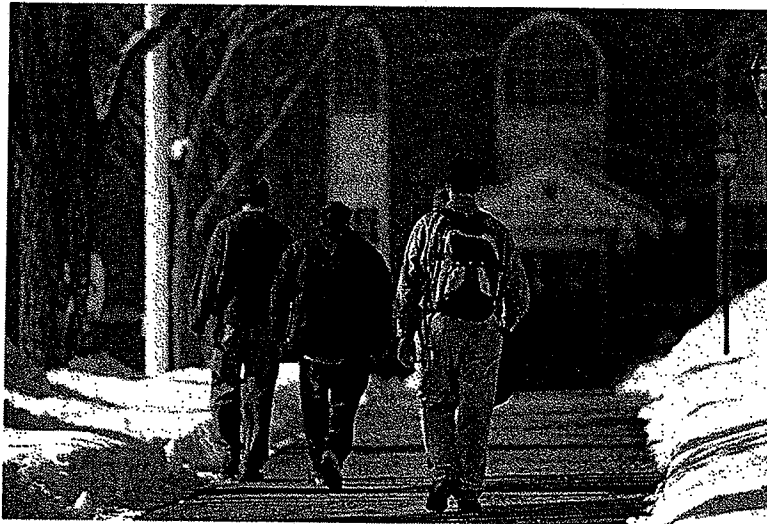
HELPFUL RESOURCES

If you continue to have questions about the law or need advice and assistance, the following are helpful resources:

The National Law Center on Homelessness & Poverty
(202) 638-2535
www.nlchp.org

The National Association for the Education of Homeless Children & Youth
(202) 364-7392
www.naehcy.org

The National Center on Homeless Education
1-800-308-2145
www.serve.org/nche



Additional helpful resources for special education include:

Technical Assistance Alliance for Parent Centers

1-888-248-0822

www.taalliance.org

Council for Exceptional Children

1-866-915-5000

www.cec.sped.org

The following groups have information for and about
unaccompanied youth :

The National Network for Youth

202-783-7949

www.nn4youth.org

Covenant House

1-800-999-9999 (Crisis Hotline for Teens)

www.covenanthouse.org

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Should you want to read the law...

The McKinney-Vento Act (42 U.S.C. 11431) and related guidance can be found on the website of the U.S. Department of Education:

www.ed.gov/programs/homeless/legislation.html

The National Law Center on Homelessness & Poverty works to end homelessness through outreach and education, legislative advocacy and litigation. We seek long-term, constructive responses at the local, state, and federal levels.

For more information on our activities and a listing of our publications, including many works on the Education of Children and Youth Experiencing Homelessness, please contact us through the information below.

We would like to thank our Anonymous Donor, the W. K. Kellogg Foundation, the Freddie Mac Foundation, and the Butler Family Fund for their support of our work with children who are homeless.

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